

### **307.26 Administration of modal programs and activities.**

The department's administrator responsible for modal programs and activities shall:

1. Advise and assist the director in the development of aeronautics, including but not limited to the location of air terminals, accessibility of air terminals by other modes of public transportation, protective zoning provisions considering safety factors, noise, and air pollution, facilities for private and commercial aircraft, air freight facilities, and such other physical and technical aspects as may be necessary to meet present and future needs.

2. Advise and assist the director in the study of local and regional transportation of goods and people including intracity and intercity bus systems, dial-a-bus facilities, rural and urban bus and taxi systems, the collection of data from these systems, the study of the feasibility of increased government subsidy assistance and the allocation of such subsidies to each mass transportation system, the study of such other physical and technical aspects which may be necessary to meet present and future needs, and the application for, acceptance of, and expending of federal, state, or private funds for the improvement of mass transit.

3. Advise and assist the director in the development of transportation systems and programs for improving passenger and freight services.

4. Advise and assist the director in developing programs in anticipation of railroad abandonment, including:

a. Development and evaluation of programs which will encourage improvement of rail freight and the upgrading of rail lines in order to improve freight service.

b. Advising the director when it may appear in the best interest of the state to assume the role of advocate in railroad abandonments and railroad rate schedules.

5. Develop and maintain a federal-state relationship of programs relating to railroad safety enforcement, track standards, rail equipment, operating rules, and transportation of hazardous materials.

6. Make surveys, plans, and estimates of cost for the elimination of danger at railroad crossings on highways and confer with local and railroad officials with reference to elimination of the danger.

7. Advise and assist the director in the conduct of research on railroad-highway grade crossings and encourage and develop a safety program in order to reduce injuries or fatalities including but not limited to the following:

a. The establishment of standards for warning devices for particularly hazardous crossings or for classes of crossings on highways, which standards shall be designed to reduce injuries, fatalities, and property damage. Such standards shall regulate the use of warning devices and signs, which shall be in addition to the requirements of [section 327G.2](#). Implementation of such standards shall be the responsibility of the government agency or department or political subdivision having jurisdiction and control of the highway and such implementation shall be deemed adequate for the purposes of railroad grade crossing protection. The department, or the political subdivision having jurisdiction, may direct the installation of temporary protection while awaiting installation of permanent protection. A railroad crossing shall not be found to be particularly hazardous for any purpose unless the department has determined it to be particularly hazardous.

b. The development and adoption of classifications of crossings on public highways based upon their characteristics, conditions, and hazards, and standards for warning devices, signals, and signs of each crossing classification. The department shall recommend a schedule for implementation of the standards to the government agency, department, or political subdivision having jurisdiction of the highway and shall provide an annual report to the general assembly on the development and adoption of classifications and standards under this paragraph and their implementation, including information about financing installation of warning devices, signals, and signs. The department shall not be liable for the development or adoption of the classifications or standards. A government agency, department, or political subdivision shall not be liable for failure to implement the standards. A crossing warning or improvement installed or maintained pursuant to standards adopted by the department under this paragraph shall be deemed an adequate and appropriate warning for the crossing.

8. Advise and assist the director to assure availability, efficiency, and productivity of

freight and passenger services and to promote the coordination of service between all transportation modes.

9. Advise and assist the director with studies of regulatory changes deemed necessary to effectuate economical and efficient railroad service.

10. Advise and assist the director regarding agreements with railroad corporations for the restoration, conservation, or improvement of railroad as defined in [section 327D.2, subsection 3](#), on such terms, conditions, rates, rentals, or subsidy levels as may be in the best interest of the state. The commission may enter into contracts and agreements which are binding only to the extent that appropriations have been or may subsequently be made by the legislature to effectuate the purposes of [this subsection](#).

11. Administer [chapters 324A, 327C through 327H, 327J, 328, 329, and 330](#).

12. Administer programs and activities in chapters [306D, 307C, 308A, and 315](#).

13. Perform such other duties and responsibilities as may be assigned by the director.

14. Promote river transportation and coordinate river programs with other transportation modes.

15. Advise and assist the director in the development of river transportation and port facilities in the state.

[C75, 77, §307.26, 327H.19; C79, 81, §307.26]

[86 Acts, ch 1245, §1920, 1921; 90 Acts, ch 1233, §13; 94 Acts, ch 1199, §50; 2006 Acts, ch 1010, §84; 2015 Acts, ch 123, §11](#)

Referred to in [§321.342](#)

Section amended